

- 28 ▶ expands the reach of a provision under which an independent special district may be
- 29 conclusively presumed to have been lawfully created and existing to apply to all
- 30 independent special districts rather than those created after May 4, 1999;
- 31 ▶ modifies the bonding authority of cemetery maintenance districts;
- 32 ▶ authorizes mosquito abatement districts to issue notes and bonds, subject to a debt
- 33 limit;
- 34 ▶ modifies provisions applicable to administrative control boards of special service
- 35 districts;
- 36 ▶ eliminates independent special districts provisions made redundant and superfluous
- 37 because of changes in this bill to the Local Government Bonding Act; and
- 38 ▶ makes technical changes.

39 Monies Appropriated in this Bill:

40 None

41 Other Special Clauses:

42 None

43 Utah Code Sections Affected:

44 AMENDS:

- 45 **11-14-102**, as enacted by Chapter 105, Laws of Utah 2005
- 46 **11-14-103**, as enacted by Chapter 105, Laws of Utah 2005
- 47 **11-14-201**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 48 **11-14-202**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 49 **11-14-205**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 50 **11-14-206**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 51 **11-14-207**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 52 **11-14-301**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 53 **11-14-302**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 54 **11-14-303**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 55 **11-14-305**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 56 **11-14-306**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 57 **11-14-307**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 58 **11-14-308**, as renumbered and amended by Chapter 105, Laws of Utah 2005

- 59 **11-14-310**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 60 **11-14-311**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 61 **11-14-312**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 62 **11-14-313**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 63 **11-14-314**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 64 **11-14-315**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 65 **11-14-316**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 66 **11-14-405**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 67 **11-14-406**, as renumbered and amended by Chapter 105, Laws of Utah 2005
- 68 **17A-2-103**, as enacted by Chapter 177, Laws of Utah 2000
- 69 **17A-2-223**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 70 **17A-2-315**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 71 **17A-2-317**, as last amended by Chapter 90, Laws of Utah 2001
- 72 **17A-2-431**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 73 **17A-2-543**, as last amended by Chapter 105, Laws of Utah 2005
- 74 **17A-2-908**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 75 **17A-2-1326**, as last amended by Chapters 195 and 284, Laws of Utah 2001
- 76 **17A-2-1828**, as enacted by Chapter 216, Laws of Utah 1995

77 ENACTS:

- 78 **11-14-304.5**, Utah Code Annotated 1953
- 79 **11-14-317**, Utah Code Annotated 1953

80 REPEALS:

- 81 **17A-2-311**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 82 **17A-2-314**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 83 **17A-2-316**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 84 **17A-2-321**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 85 **17A-2-324**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 86 **17A-2-330**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 87 **17A-2-547**, as last amended by Chapter 254, Laws of Utah 2000
- 88 **17A-2-558**, as renumbered and amended by Chapter 186, Laws of Utah 1990
- 89 **17A-2-825**, as last amended by Chapter 254, Laws of Utah 2000

90 17A-2-832, as renumbered and amended by Chapter 186, Laws of Utah 1990

91 17A-2-1825, as last amended by Chapter 105, Laws of Utah 2005

92 17A-2-1827, as enacted by Chapter 216, Laws of Utah 1995

93

94 *Be it enacted by the Legislature of the state of Utah:*

95 Section 1. Section 11-14-102 is amended to read:

96 **11-14-102. Definitions.**

97 For the purpose of this chapter:

98 (1) "Bond" means any bond authorized to be issued under this chapter, including
99 municipal bonds.

100 (2) "Election results" [~~means the same as "election results"~~] has the same meaning as
101 defined in Section 20A-1-102.

102 (3) "Governing body" means:

103 (a) for a county, city, or town, the legislative body of the county, city, or town;

104 (b) for an independent special district or local district, the board of trustees of the
105 independent special district or local district;

106 (c) for a school district, the local board of education; or

107 (d) for a special service district under Title 17A, Chapter 2, Part 13, Utah Special
108 Service District Act, the governing body of the county or municipality that created the special
109 service district.

110 (4) "Independent special district" means a district operating under Title 17A, Chapter
111 2, Independent Special Districts.

112 (5) "Local district" means a district operating under Title 17B, Chapter 2, Local
113 Districts.

114 [~~(3)~~] (6) (a) "Local political subdivision" [~~includes:~~] means a county, city, town, school
115 district, independent special district, or local district.

116 [(i) ~~cities;~~]

117 [(ii) ~~towns;~~]

118 [(iii) ~~counties;~~]

119 [(iv) ~~school districts;~~]

120 [(v) ~~public transit districts;~~]

121 ~~[(vi) improvement districts operating under the authority of Title 17A, Chapter 2, Part~~
 122 ~~3, County Improvement Districts for Water, Sewage, Flood Control, Electric and Gas;]~~

123 ~~[(vii) special service districts operating under the authority of Title 17A, Chapter 2,~~
 124 ~~Part 13, Utah Special Service District Act;]~~

125 ~~[(viii) metropolitan water districts operating under the authority of Title 17A, Chapter~~
 126 ~~2, Part 8, Metropolitan Water District Act;]~~

127 ~~[(ix) irrigation districts operating under the authority of Title 17A, Chapter 2, Part 7,~~
 128 ~~Irrigation District Act;]~~

129 ~~[(x) water conservancy districts operating under the authority of Title 17A, Chapter 2,~~
 130 ~~Part 14, Water Conservancy Districts; and]~~

131 ~~[(xi) regional service areas operating under the authority of Title 17A, Chapter 2, Part~~
 132 ~~18, Regional Service Area Act.]~~

133 (b) "Local political subdivision" does not include the state and its institutions.

134 Section 2. Section **11-14-103** is amended to read:

135 **11-14-103. Bond issues authorized -- Purposes -- Use of bond proceeds.**

136 (1) Any local political subdivision may, in the manner and subject to the limitations
 137 and restrictions contained in this chapter, issue its negotiable bonds for the purpose of paying
 138 all or part of the cost of:

139 (a) acquiring, improving, or extending any one or more improvements, facilities, or
 140 property that the local political subdivision is authorized by law to acquire~~[(2) Any local~~
 141 ~~political subdivision may also issue such bonds for the acquisition of or the acquisition of],~~
 142 improve, or extend; or

143 (b) acquiring, or acquiring an interest in, any one or more or any combination of the
 144 following types of improvements, facilities, or property to be owned by the local political
 145 subdivision, either alone or [to be owned] jointly [by two] with one or more other local
 146 political subdivisions, or for the improvement or extension of any [such] of those wholly or
 147 jointly owned [facility or property] improvements, facilities, or properties:

148 ~~[(a)]~~ (i) public buildings of every nature, including without limitation, offices,
 149 courthouses, jails, fire, police and sheriff's stations, detention homes, and any other buildings to
 150 accommodate or house lawful activities of a local political subdivision;

151 ~~[(b)]~~ (ii) waterworks, irrigation systems, water systems, dams, reservoirs, water

152 treatment plants, and any other improvements, facilities, or property used in connection with
153 the acquisition, storage, transportation, and supplying of water for domestic, industrial,
154 irrigation, recreational, and other purposes and preventing pollution of water;

155 ~~(c)~~ (iii) sewer systems, sewage treatment plants, incinerators, and other
156 improvements, facilities, or property used in connection with the collection, treatment, and
157 disposal of sewage, garbage, or other refuse;

158 ~~(d)~~ (iv) drainage and flood control systems, storm sewers, and any other
159 improvements, facilities, or property used in connection with the collection, transportation, or
160 disposal of water;

161 ~~(e)~~ (v) recreational facilities of every kind, including without limitation, athletic and
162 play facilities, playgrounds, athletic fields, gymnasiums, public baths, swimming pools, camps,
163 parks, picnic grounds, fairgrounds, golf courses, zoos, boating facilities, tennis courts,
164 auditoriums, stadiums, arenas, and theaters;

165 ~~(f)~~ (vi) convention centers, sports arenas, auditoriums, theaters, and other facilities
166 for the holding of public assemblies, conventions, and other meetings;

167 ~~(g)~~ (vii) roads, bridges, viaducts, tunnels, sidewalks, curbs, gutters, and parking
168 buildings, lots, and facilities;

169 ~~(h)~~ (viii) airports, landing fields, landing strips, and air navigation facilities;

170 ~~(i)~~ (ix) educational facilities, including without limitation, schools, gymnasiums,
171 auditoriums, theaters, museums, art galleries, libraries, stadiums, arenas, and fairgrounds;

172 ~~(j)~~ (x) hospitals, convalescent homes, and homes for the aged or indigent; and

173 ~~(k)~~ (xi) electric light works, electric generating systems, and any other improvements,
174 facilities, or property used in connection with the generation and acquisition of electricity for
175 these local political subdivisions and transmission facilities and substations if they do not
176 duplicate transmission facilities and substations of other entities operating in the state prepared
177 to provide the proposed service unless these transmission facilities and substations proposed to
178 be constructed will be more economical to these local political subdivisions.

179 ~~(3)~~ (2) Any ~~such~~ improvement, facility, or property under Subsection (1) need not
180 lie within the limits of the local political subdivision.

181 ~~(4)~~ (3) A cost under Subsection (1)(a) may include:

182 (a) the cost of equipment and furnishings for such improvements, facilities, or

183 property;

184 (b) all costs incident to the authorization and issuance of bonds, including engineering,
185 legal, and fiscal advisers' fees;

186 (c) costs incident to the issuance of bond anticipation notes, including interest to accrue
187 on bond anticipation notes;

188 (d) interest estimated to accrue on the bonds during the period to be covered by the
189 construction of the improvement, facility, or property and for 12 months after that period; and

190 (e) other amounts which the [legislative] governing body finds necessary to establish
191 bond reserve funds and to provide working capital related to the improvement, facility, or
192 property.

193 Section 3. Section **11-14-201** is amended to read:

194 **11-14-201. Election on bond issues -- Qualified electors -- Resolution and notice.**

195 (1) The [legislative] governing body of any local political subdivision that wishes to
196 issue bonds under the authority granted in Section 11-14-103 shall, at least 75 days before the
197 date of election:

198 (a) approve a resolution submitting the question of the issuance of the bonds to the
199 voters of the local political subdivision; and

200 (b) provide a copy of the resolution to:

201 (i) the lieutenant governor; and

202 (ii) the election officer, as defined in Section 20A-1-102, charged with conducting the
203 election.

204 (2) The local political subdivision may not issue the bonds unless the majority of the
205 qualified voters of the local political subdivision who vote on the bond proposition approve the
206 issuance of the bonds.

207 (3) Nothing in this section requires an election for the issuance of:

208 (a) refunding bonds; or

209 (b) other bonds not required by law to be voted on at an election.

210 (4) The resolution calling the election shall include a ballot proposition, in substantially
211 final form, that complies with the requirements of Subsection 11-14-206(2).

212 Section 4. Section **11-14-202** is amended to read:

213 **11-14-202. Notice of election -- Contents -- Publication -- Mailing.**

214 (1) (a) The [~~legislative~~] governing body shall ensure that:
215 (i) notice of the election is published once per week during three consecutive weeks in
216 a newspaper designated in accordance with Section 11-14-316; and
217 (ii) the first publication occurs not less than 21 nor more than 35 days before the
218 election.
219 (b) Notice shall be published in a newspaper having general circulation in the local
220 political subdivision.
221 (2) When the debt service on the bonds to be issued will increase the property tax
222 imposed upon the average value of a residence by an amount that is greater than or equal to \$15
223 per year, the governing body shall, at least seven days but not more than 30 days before the
224 bond election, if the bond election is not held on the date of a regular primary election, a
225 municipal primary election, a regular general election, or a municipal general election, either
226 mail:
227 (a) written notice of the bond election on a minimum three inch by five inch postcard
228 to every household containing a registered voter who is eligible to vote on the bonds; or
229 (b) a voter information pamphlet prepared by the governing body, if one is prepared,
230 that includes the information required by Subsection (4).
231 (3) (a) Except as provided in Subsection (3)(b), notice of the bond election need not be
232 posted.
233 (b) (i) In a local political subdivision where there is no newspaper of general
234 circulation, the legislative body may require that notice of a bond election be given by posting
235 in lieu of the publication requirements of Subsection (1).
236 (ii) When the [~~legislative~~] governing body imposes a posting requirement, the
237 [~~legislative~~] governing body shall ensure that notice of the bond election is posted in at least
238 five public places in the local political subdivision at least 21 days before the election.
239 (4) Any notice required by this section shall include:
240 (a) the date and place of the election;
241 (b) the hours during which the polls will be open; and
242 (c) the title and text of the ballot proposition.
243 (5) The [~~legislative~~] governing body shall pay the costs associated with the notice
244 required by this section.

245 Section 5. Section **11-14-205** is amended to read:

246 **11-14-205. Special registration not required -- Official register supplied by clerk.**

247 (1) (a) Voter registration shall be administered according to the requirements of Title
248 20A, Chapter 2, Voter Registration.

249 (b) The [~~legislative~~] governing body may not require or mandate any special
250 registration of voters for a bond election.

251 (2) The county clerk of each county in which a local political subdivision holding the
252 bond election is located shall prepare the official register for the bond election according to the
253 requirements of Section 20A-5-401.

254 (3) The official register's failure to identify those voters not residing in the local
255 political subdivision holding the bond election, or any inaccuracy in that identification, is not a
256 ground for invalidating the bond election.

257 Section 6. Section **11-14-206** is amended to read:

258 **11-14-206. Ballots -- Submission of ballot language -- Form and contents.**

259 (1) At least 75 days before the election, the [~~legislative~~] governing body shall prepare
260 and submit to the election officer:

261 (a) a ballot title for the bond proposition that includes the name of the local political
262 subdivision issuing the bonds and the word "bond" or an identification of the type of bonds;
263 and

264 (b) a ballot proposition that meets the requirements of Subsection (2).

265 (2) (a) The ballot proposition shall include:

266 (i) the maximum principal amount of the bonds;

267 (ii) the maximum number of years from the issuance of the bonds to final maturity; and

268 (iii) the general purpose for which the bonds are to be issued.

269 (b) The purpose of the bonds may be stated in general terms and need not specify the
270 particular projects for which the bonds are to be issued or the specific amount of bond proceeds
271 to be expended for each project.

272 (c) If the bonds are to be payable in part from tax proceeds and in part from the
273 operating revenues of the local political subdivision, or from any combination of tax proceeds
274 and operating revenues, the bond proposition shall indicate those payment sources, but need
275 not specify how the bonds are to be divided between those sources of payment.

276 (d) (i) The bond proposition shall be followed by the words, "For the issuance of
277 bonds" and "Against the issuance of bonds," with appropriate boxes in which the voter may
278 indicate his choice.

279 (ii) Nothing in Subsection (2)(d)(i) prohibits the addition of descriptive information
280 about the bonds.

281 (3) If a bond proposition is submitted to a vote on the same day as any other election
282 held in the local political subdivision calling the bond election, the bond proposition may be
283 combined with the candidate ballot in a manner consistent with Section 20A-6-301,
284 20A-6-303, or 20A-6-402.

285 (4) The ballot form shall comply with the requirements of Title 20A, Chapter 6, Ballot
286 Form.

287 Section 7. Section **11-14-207** is amended to read:

288 **11-14-207. Counting and canvassing -- Official finding.**

289 (1) (a) Following the election officer's inspection and count of the ballots in accordance
290 with the procedures of Title 20A, Chapter 4, Part 1, Counting Ballots and Tabulating Results,
291 and Part 2, Transmittal and Disposition of Ballots and Election Returns, the [legislative]
292 governing body shall meet and canvass the election results.

293 (b) (i) The [legislative] governing body of the local political subdivision is the board of
294 canvassers for the bond proposition.

295 (ii) The board of canvassers shall always consist of a quorum of the [legislative]
296 governing body.

297 (c) The canvass of the election results shall be made in public no sooner than seven
298 days after the election and no later than 14 days after the election.

299 (d) The canvass of election results shall be conducted according to the procedures and
300 requirements of Subsection 20A-4-301(3) and Sections 20A-4-302 and 20A-4-303.

301 (e) If a bond proposition is submitted to a vote on the same day as any other election
302 held in the local political subdivision calling the bond election, the [legislative] governing body
303 shall coordinate the date of its canvass with any other board of canvassers appointed under
304 Section 20A-4-301.

305 (2) (a) After the canvass of election returns, the [legislative] governing body shall
306 record in its minutes:

307 (i) an official finding as to the total number of votes cast, the number of affirmative
308 votes, the number of negative votes, the number of challenged voters, the number of challenged
309 voters that were issued a provisional ballot, and the number of provisional ballots that were
310 counted; and

311 (ii) an official finding that the bond proposition was approved or rejected.

312 (b) The [legislative] governing body need not file with the county clerk or with any
313 other official:

314 (i) any statement or certificate of the election results;

315 (ii) any affidavit with respect to the facts pertaining to the election; or

316 (iii) any affidavit pertaining to the indebtedness and valuation of the municipality.

317 (3) The official finding that the majority of the qualified voters of the local political
318 subdivision voting on the bond proposition approved the issuance of the bonds is conclusive in
319 any action or proceeding involving the validity of the election or involving the determination or
320 declaration of the result of the election if the action is filed after the expiration of the period
321 provided in Subsection 20A-4-403(3).

322 Section 8. Section **11-14-301** is amended to read:

323 **11-14-301. Issuance of bonds by governing body -- Computation of indebtedness**
324 **under constitutional and statutory limitations.**

325 (1) If the [legislative] governing body has declared the bond proposition to have carried
326 and no contest has been filed, or if a contest has been filed and favorably terminated, the
327 [legislative] governing body may proceed to issue the bonds voted at the election.

328 (2) It is not necessary that all of the bonds be issued at one time, but bonds approved by
329 the voters may not be issued more than ten years after the date of the election.

330 (3) (a) Bonds approved by the voters may not be issued to an amount [~~which~~] that will
331 cause the indebtedness of the local political subdivision to exceed that permitted by the Utah
332 Constitution or statutes.

333 (b) In computing the amount of indebtedness that may be incurred pursuant to
334 constitutional limitations, the constitutionally permitted percentage shall be applied to the fair
335 market value, as defined under Section 59-2-102, of the taxable property in the local political
336 subdivision as computed from the last equalized assessment rolls for state and county purposes
337 prior to the incurring of the additional indebtedness, except that in the case of cities the last

338 equalized assessment rolls for city purposes shall be controlling.

339 (c) In determining the fair market value of the taxable property in the local political
340 subdivision as provided in this section, the value of all tax equivalent property, as defined in
341 Section 59-3-102, shall be included as a part of the total fair market value of taxable property
342 in the local political subdivision, as provided in Title 59, Chapter 3, [~~the~~] Tax Equivalent
343 Property Act.

344 (4) Bonds of improvement districts issued in a manner that they are payable solely
345 from the revenues to be derived from the operation of the facilities of the district may not be
346 included as bonded indebtedness for the purposes of the computation.

347 (5) Where bonds are issued by a city, town, or county payable solely from revenues
348 derived from the operation of revenue-producing facilities of the city, town, or county, or
349 payable solely from a special fund into which are deposited excise taxes levied and collected by
350 the city, town, or county, or excise taxes levied by the state and rebated pursuant to law to the
351 city, town, or county, or any combination of those excise taxes, the bonds shall be included as
352 bonded indebtedness of the city, town, or county only to the extent required by the Utah
353 Constitution, and any bonds not so required to be included as bonded indebtedness of the city,
354 town, or county need not be authorized at an election, except as otherwise provided by the Utah
355 Constitution, the bonds being hereby expressly excluded from the election requirement of
356 Section 11-14-201.

357 (6) A bond election is not void when the amount of bonds authorized at the election
358 exceeded the limitation applicable to the local political subdivision at the time of holding the
359 election, but the bonds may be issued from time to time in an amount within the applicable
360 limitation at the time the bonds are issued.

361 Section 9. Section **11-14-302** is amended to read:

362 **11-14-302. Resolution -- Negotiability -- Registration -- Maturity -- Interest --**
363 **Payment -- Redemption -- Combining issues -- Sale -- Financing plan.**

364 (1) Bonds issued under this chapter shall be authorized by resolution of the [~~legislative~~]
365 governing body, shall be fully negotiable for all purposes, may be made registrable as to
366 principal alone or as to principal and interest, shall mature at such time or times not more than
367 40 years from their date, shall bear interest at such rate or rates, if any, shall be payable at such
368 place or places, shall be in such form, shall be executed in such manner, may be made

369 redeemable prior to maturity at such times and on such terms, shall be sold in such manner and
370 at such prices, either at, in excess of, or below face value, and generally shall be issued in such
371 manner and with such details as may be provided by resolution; it being the express intention
372 of the legislature that interest rate limitations elsewhere appearing in the laws of Utah shall not
373 apply to nor limit the rate of interest on bonds issued under this chapter. The resolution shall
374 specify either the rate or rates of interest, if any, on the bonds or specify the method by which
375 the interest rate or rates on the bonds may be determined while the bonds are outstanding. If
376 the resolution specifies a method by which interest on the bonds may be determined, the
377 resolution shall also specify the maximum rate of interest the bonds may bear. Bonds voted for
378 different purposes by separate propositions at the same or different bond elections may in the
379 discretion of the [~~legislative~~] governing body be combined and offered for sale as one issue of
380 bonds. The resolution providing for this combination and the printed bonds for the combined
381 issue shall separately set forth the amount being issued for each of the purposes provided for in
382 each proposition submitted to the electors. If the local political subdivision has retained a
383 fiscal agent to assist and advise it with respect to the bonds and the fiscal agent has received or
384 is to receive a fee for such services, the bonds may be sold to the fiscal agent but only if the
385 sale is made pursuant to a sealed bid submitted by the fiscal agent at an advertised public sale.

386 (2) (a) All bonds shall be paid by the treasurer of the local political subdivision or the
387 treasurer's duly authorized agent on their respective maturity dates or on the dates fixed for the
388 bonds redemption. All bond coupons, other than coupons cancelled because of the redemption
389 of the bonds to which they apply, shall similarly be paid on their respective dates or as soon
390 thereafter as the bonds or coupons are surrendered.

391 (b) Upon payment of a bond or coupon, the treasurer of the local political subdivision
392 or the treasurer's duly authorized agent, shall perforate the bond or coupon with a device
393 suitable to indicate payment.

394 (c) Any bonds or coupons which have been paid or cancelled may be destroyed by the
395 treasurer of the local political subdivision or by the treasurer's duly authorized agent.

396 (3) Bonds, bond anticipation notes, or tax anticipation notes with maturity dates of one
397 year or less may be authorized by a local political subdivision from time to time pursuant to a
398 plan of financing adopted by the [~~legislative~~] governing body. The plan of financing shall
399 specify the terms and conditions under which the bonds or notes may be issued, sold, and

400 delivered, the officers of the local political subdivision authorized to issue the bonds or notes,
401 the maximum amount of bonds or notes which may be outstanding at any one time, the source
402 or sources of payment of the bonds or notes, and all other details necessary for issuance of the
403 bonds or notes. Subject to the Constitution, the ~~[legislative]~~ governing body of the local
404 political subdivision may include in the plan of financing the terms and conditions of
405 agreements which may be entered into by the local political subdivision with banking
406 institutions for letters of credit or for standby letters of credit to secure the bonds or notes,
407 including payment from any legally available source of fees, charges, or other amounts coming
408 due under the agreements entered into by the local political subdivision.

409 Section 10. Section **11-14-303** is amended to read:

410 **11-14-303. Bonds, notes, or other evidences of indebtedness of political**
411 **subdivisions exempt from taxation except corporate franchise tax.**

412 All bonds, notes, or other evidences of indebtedness issued under this chapter or under
413 any other law authorizing the issuance of bonds, notes, or indebtedness by ~~[any county, city,~~
414 ~~town, school district, public transit district, improvement district, special service district,~~
415 ~~metropolitan water district, water conservancy district, irrigation district,]~~ a local political
416 subdivision or any other political subdivision now existing or subsequently created under the
417 laws of Utah, ~~[including[, but not limited to,]~~ bonds payable solely from special assessments
418 and tax anticipation indebtedness~~)]~~, and the interest on them shall be exempt from all taxation
419 in this state, except for the corporate franchise tax.

420 Section 11. Section **11-14-304.5** is enacted to read:

421 **11-14-304.5. Recital in bonds -- Incontestability.**

422 (1) In the resolution authorizing bonds to be issued as provided in this chapter or other
423 applicable law, a local political subdivision may require that the bonds recite that they are
424 issued under authority of this chapter or other applicable law.

425 (2) (a) A bond recital as provided in Subsection (1) conclusively establishes full
426 compliance with all the provisions of applicable law.

427 (b) All bonds issued containing a recital as provided in Subsection (1) shall be
428 incontestable for any reason after their delivery for value.

429 Section 12. Section **11-14-305** is amended to read:

430 **11-14-305. Registration, denominations, and exchange of obligations.**

431 (1) As used in this section, "obligations" means bonds, bond anticipation notes, and tax
432 anticipation notes.

433 [~~(1)~~] (2) Unless otherwise provided by the local political subdivision, [~~the~~] Title 15,
434 Chapter 7, Registered Public Obligations Act, governs and applies to all [~~bonds, bond~~
435 ~~anticipation notes, and tax anticipation notes (bonds, bond anticipation notes and tax~~
436 ~~anticipation notes being referred to in this section as "obligations")~~] obligations issued in
437 registered form. If [~~the~~] Title 15, Chapter 7, Registered Public Obligations Act, is inapplicable
438 to an issue of obligations, Subsection [~~(2)~~] (3) governs and applies with respect to such issue.

439 [~~(2)~~] (3) Any obligations issued under this chapter may be issued in denominations [~~of~~
440 ~~\$100 or any multiple of \$100~~] as determined by the governing body. The [~~legislative~~]
441 governing body may provide for the exchange of any of these obligations after issuance for
442 obligations of larger or smaller denominations in such manner as may be provided in the
443 authorizing resolution, provided the obligations in changed denominations shall be exchanged
444 for the original obligations in like aggregate principal amounts and in such manner that no
445 overlapping interest is paid; and such obligations in changed denominations shall bear interest
446 at the same rate or rates, if any, shall mature on the same date or dates, shall be as nearly as
447 practicable in the same form except for an appropriate recital as to the exchange, and shall in
448 all other respects, except as to denominations and numbers, be identical with the original
449 obligations surrendered for exchange. Where any exchange is made under this section, the
450 obligations surrendered by the holders at the time of exchange shall be cancelled; any such
451 exchange shall be made only at the request of the holders of the obligations to be surrendered;
452 and the [~~legislative~~] governing body may require all expenses incurred in connection with such
453 exchange, including the authorization and issuance of the new obligations, to be paid by such
454 holders.

455 Section 13. Section **11-14-306** is amended to read:

456 **11-14-306. Additional pledge for general obligation bonds -- Revenue bonds --**
457 **Resolution.**

458 (1) To the extent constitutionally permissible, local political subdivisions may pledge
459 as an additional source of payment for their general obligation bonds all or any part of
460 revenues, fees, and charges attributable to the operation or availability of facilities or may issue
461 bonds payable solely from such revenues, fees, or charges.

462 (2) (a) The [~~legislative~~] governing body may issue bonds payable solely from revenues,
463 fees, or charges attributable to extensions and improvements to revenue-producing facilities.

464 (b) If the [~~legislative~~] governing body issues bonds under Subsection (2)(a), the
465 resolution authorizing these bonds shall set forth as a finding of the [~~legislative~~] governing
466 body:

467 (i) the value of the then existing facility and the value of this facility after completion
468 of the extensions or improvements proposed to be constructed; and

469 (ii) that portion of the revenues, fees, or charges derived from the entire facility when
470 the contemplated extensions and improvements are completed which the value of the existing
471 facility bears to the value of the facility after completion shall be considered to be revenue
472 derived from the existing facility and the remainder may be set aside and pledged to the
473 payment of the principal of and interest on the bonds and for the establishment of appropriate
474 reserve fund or funds, and such portion shall be considered to be revenue derived exclusively
475 from the extensions and improvements.

476 (3) (a) Any resolution or trust indenture authorizing bonds to which such revenues,
477 fees, or charges are pledged may contain such covenants with the future holder or holders of
478 the bonds as to the management and operation of the affected facilities, the imposition,
479 collection, and disposition of rates, fees, and charges for commodities and services furnished
480 thereby, the issuance of future bonds, the creation of future liens and encumbrances against the
481 facilities, the carrying of insurance, the keeping of books and records, the deposit and paying
482 out of revenues, fees, or charges and bond proceeds, the appointment and duties of a trustee,
483 and other pertinent matters as may be considered proper by the [~~legislative~~] governing body.

484 (b) If the revenue, fee, or charge so pledged involves either sewer or water revenues,
485 fees, or charges or both sewer and water revenues, fees, or charges, provision may be made for
486 charges for sewer services and water services to be billed in a single bill and for the suspension
487 of water or sewer services, or both, to any customer who shall become delinquent in the
488 payment due for either.

489 (c) Provision may be made for the securing of such bonds by a trust indenture, but no
490 such indenture shall convey, mortgage, or create any lien upon property of the local political
491 subdivision.

492 (d) Either the bond resolution or such trust indenture may impose in the holders of the

493 bonds full rights to enforce the provisions thereof, and may include terms and conditions upon
494 which the holders of the bonds or any proportion of them, or a trustee therefor, shall be entitled
495 to the appointment of a receiver who may enter and take possession of the facility or facilities,
496 the revenues, fees, or charges of which are so pledged, and may operate and maintain them,
497 prescribe charges and collect, receive, and apply all revenues, fees, or charges therefrom arising
498 in the same manner as the local political subdivision itself might do.

499 Section 14. Section **11-14-307** is amended to read:

500 **11-14-307. Revenue bonds payable out of excise tax revenues.**

501 (1) To the extent constitutionally permissible, cities, towns, or counties may issue
502 bonds payable solely from a special fund into which are to be deposited excise taxes levied and
503 collected by the city, town, or county, or excise taxes levied by the state and rebated pursuant to
504 law to the city, town, or county, or any combination of those excise taxes, or may pledge all or
505 any part thereof as an additional source of payment for their general obligation bonds.

506 (2) (a) Any resolution authorizing the issuance of bonds payable in whole or in part
507 from the proceeds of excise tax revenues may contain covenants with the holder or holders of
508 the bonds as to the excise tax revenues, the disposition of the excise tax revenues, the issuance
509 of future bonds, and other pertinent matters that are considered necessary by the [~~legislative~~
510 governing body to assure the marketability of those bonds, provided the covenants are not
511 inconsistent with the provisions of this chapter.

512 (b) The resolution may also include provisions to insure the enforcement, collection,
513 and proper application of excise tax revenues as the [~~legislative~~ governing body may think
514 proper.

515 (c) The proceeds of bonds payable in whole or in part from pledged class B or C road
516 funds shall be used to construct, repair, and maintain streets and roads in accordance with
517 Sections 72-6-108 and 72-6-110 and to fund any reserves and costs incidental to the issuance of
518 the bonds.

519 (d) When any bonds payable from excise tax revenues have been issued, the resolution
520 or other enactment of the legislative body imposing the excise tax and pursuant to which the
521 tax is being collected, the obligation of the [~~legislative~~ governing body to continue to levy,
522 collect, and allocate the excise tax, and to apply the revenues derived therefrom in accordance
523 with the provisions of the authorizing resolution or other enactment, shall be irrevocable until

524 the bonds have been paid in full as to both principal and interest, and is not subject to
525 amendment in any manner which would impair the rights of the holders of those bonds or
526 which would in any way jeopardize the timely payment of principal or interest when due.

527 (3) (a) The state pledges to and agrees with the holders of any bonds issued by a city,
528 town, or county to which the proceeds of excise taxes collected by the state and rebated to the
529 city, town, or county are devoted or pledged as authorized in this section, that the state will not
530 alter, impair, or limit the excise taxes in a manner that reduces the amounts to be rebated to the
531 city, town, or county which are devoted or pledged as authorized in this section until the bonds
532 or other securities, together with applicable interest, are fully met and discharged.

533 (b) Nothing in this Subsection (3) precludes alteration, impairment, or limitation of
534 excise taxes if adequate provision is made by law for the protection of the holders of the bonds.

535 (c) Each city, town, or county may include this pledge and undertaking for the state in
536 those bonds.

537 (4) The outstanding bonds to which excise tax revenues have been pledged as the sole
538 source of payment may not at any one time exceed an amount for which the average annual
539 installments of principal and interest will exceed 80% of the total excise tax revenues received
540 by the issuing entity from the collection or rebate of the excise tax revenues during the fiscal
541 year of the issuing entity immediately preceding the fiscal year in which the resolution
542 authorizing the issuance of bonds is adopted.

543 (5) Bonds issued solely from a special fund into which are to be deposited excise tax
544 revenues constitutes a borrowing solely upon the credit of the excise tax revenues received or
545 to be received by the city, town, or county and does not constitute an indebtedness or pledge of
546 the general credit of the city, town, or county.

547 (6) (a) Before issuing any bonds under this section, a city, town, or county shall:

548 (i) give public notice of its intent to issue the bonds; and

549 (ii) hold a public hearing to receive input from the public with respect to the issuance
550 of the bonds.

551 (b) The city, county, or town shall:

552 (i) publish the notice once each week for two consecutive weeks in the official
553 newspaper as designated under Section 11-14-316, with the first publication being not less than
554 14 days before the public hearing; and

- 555 (ii) ensure that the notice identifies:
- 556 (A) the purpose for the issuance of the bonds;
- 557 (B) the maximum principal amount of the bonds to be issued;
- 558 (C) the excise taxes proposed to be pledged for repayment of the bonds; and
- 559 (D) the time, place, and location of the public hearing.
- 560 (7) A city, town, or county shall submit the question of whether or not to issue any
- 561 bonds under this section to voters for their approval or rejection if, within 30 calendar days
- 562 after the notice required by Subsection (6), a written petition requesting an election and signed
- 563 by at least 20% of the registered voters in the city, town, or county is filed with the city, town,
- 564 or county.

565 Section 15. Section **11-14-308** is amended to read:

566 **11-14-308. Special service district bonds secured by federal mineral lease**

567 **payments -- Use of bond proceeds -- Bond resolution -- Nonimpairment of appropriation**

568 **formula -- Issuance of bonds.**

569 (1) Special service districts may:

570 (a) issue bonds payable, in whole or in part, from federal mineral lease payments which

571 are to be deposited into the Mineral Lease Account under Section 59-21-1 and distributed to

572 special service districts under Subsection 59-21-2(3)(h); or

573 (b) pledge all or any part of the mineral lease payments referred to in Subsection (1)(a)

574 as an additional source of payment for their general obligation bonds.

575 (2) The proceeds of these bonds may be used:

576 (a) to construct, repair, and maintain streets and roads;

577 (b) to fund any reserves and costs incidental to the issuance of the bonds and pay any

578 associated administrative costs; and

579 (c) for capital projects of the special service district.

580 (3) (a) The special service district board shall enact a resolution authorizing the

581 issuance of bonds which, until the bonds have been paid in full:

582 (i) shall be irrevocable; and

583 (ii) may not be amended in any manner that would:

584 (A) impair the rights of the bond holders; or

585 (B) jeopardize the timely payment of principal or interest when due.

586 (b) Notwithstanding any other provision of this chapter, the resolution may contain
587 covenants with the bond holder regarding:

- 588 (i) mineral lease payments, or their disposition;
- 589 (ii) the issuance of future bonds; or
- 590 (iii) other pertinent matters considered necessary by the [~~legislative~~] governing body

591 to:

592 (A) assure the marketability of the bonds; or

593 (B) insure the enforcement, collection, and proper application of mineral lease
594 payments.

595 (4) (a) Except as provided in Subsection (4)(b), the state may not alter, impair, or limit
596 the statutory appropriation formula provided in Subsection 59-21-2(3)(h), in a manner that
597 reduces the amounts to be distributed to the special service district until the bonds and the
598 interest on the bonds are fully met and discharged. Each special service district may include
599 this pledge and undertaking of the state in these bonds.

600 (b) Nothing in this section:

601 (i) may preclude the alteration, impairment, or limitation of these bonds if adequate
602 provision is made by law for the protection of the bond holders; or

603 (ii) shall be construed:

604 (A) as a pledge guaranteeing the actual dollar amount ultimately received by individual
605 special service districts;

606 (B) to require the Department of Transportation to allocate the mineral lease payments
607 in a manner contrary to the general allocation method described in Subsection 59-21-2(3)(h); or

608 (C) to limit the Department of Transportation in making rules or procedures allocating
609 mineral lease payments pursuant to Subsection 59-21-2(3)(h).

610 (5) (a) The average annual installments of principal and interest on bonds to which
611 mineral lease payments have been pledged as the sole source of payment may not at any one
612 time exceed:

613 (i) 80% of the total mineral lease payments received by the issuing entity during the
614 fiscal year of the issuing entity immediately preceding the fiscal year in which the resolution
615 authorizing the issuance of bonds is adopted; or

616 (ii) if the bonds are issued during the first fiscal year the issuing entity is eligible to

617 receive funds, 60% of the amount estimated by the Department of Transportation to be
618 appropriated to the issuing entity in that fiscal year.

619 (b) The Department of Transportation shall not be liable for any loss or damage
620 resulting from reliance on the estimates.

621 (6) The final maturity date of the bonds may not exceed 15 years from the date of their
622 issuance.

623 (7) Bonds may not be issued under this section after December 31, 2010.

624 (8) Bonds which are payable solely from a special fund into which mineral lease
625 payments are deposited constitute a borrowing based solely upon the credit of the mineral lease
626 payments received or to be received by the special service district and do not constitute an
627 indebtedness or pledge of the general credit of the special service district or the state.

628 Section 16. Section **11-14-310** is amended to read:

629 **11-14-310. General obligation bonds -- Levy and collection of taxes.**

630 (1) Any bonds issued under this chapter in such manner that they are not payable solely
631 from revenues other than those derived from ad valorem taxes are full general obligations of
632 the local political subdivision, for the prompt and punctual payment of principal of and interest
633 on which the full faith and credit of the local political subdivision are pledged, and the local
634 political subdivision is hereby expressly required, regardless of any limitations which may
635 otherwise exist on the amount of taxes which the local political subdivision may levy, to
636 provide for the levy and collection annually of ad valorem taxes without limitation as to rate or
637 amount on all taxable property in the local political subdivision fully sufficient for such
638 purpose. If by law ad valorem taxes for the local political subdivision are levied by a board
639 other than its [~~legislative~~] governing body, the taxes for which provision is herein made shall
640 be levied by such other board and the local political subdivision shall be under the duty in due
641 season in each year to provide such other board with all information necessary to the levy of
642 taxes in the required amount. Such taxes shall be levied and collected by the same officers, at
643 the same time and in the same manner as are other taxes levied for the local political
644 subdivision.

645 (2) If any local political subdivision shall neglect or fail for any reason to levy or
646 collect or cause to be levied or collected sufficient taxes for the prompt and punctual payment
647 of such principal and interest, any person in interest may enforce levy and collection thereof in

648 any court having jurisdiction of the subject matter, and any suit, action or proceeding brought
649 by such person in interest shall be a preferred cause and shall be heard and disposed of without
650 delay. All provisions of the constitution and laws relating to the collection of county and
651 municipal taxes and tax sales shall also apply to and regulate the collection of the taxes levied
652 pursuant to this section, through the officer whose duty it is to collect the taxes and money due
653 the local political subdivision.

654 Section 17. Section **11-14-311** is amended to read:

655 **11-14-311. Bond anticipation notes.**

656 (1) [~~Whenever the legislative~~] (a) If the governing body considers it advisable and in
657 the interests of the local political subdivision to anticipate the issuance of bonds to be issued
658 under this chapter, the [~~legislative~~] governing body may, pursuant to appropriate resolution,
659 issue bond anticipation notes.

660 (b) Each resolution authorizing the issuance of bond anticipation notes shall:

661 [~~(a)~~] (i) describe the bonds in anticipation of which the notes are to be issued; [~~and~~]

662 [~~(b)~~] (ii) specify the principal amount of the notes and the maturity dates of the notes[~~-~~
663 ~~The resolution shall~~]; and

664 (iii) specify either the rates of interest, if any, on the notes or [~~specify~~] the method by
665 which interest on the notes may be determined while the notes are outstanding.

666 (c) If the resolution specifies a method by which the interest rates on the notes may be
667 determined, the resolution may specify the maximum rate of interest which the notes may bear.

668 (2) Bond anticipation notes shall be issued and sold in a manner and at a price, either
669 at, below, or above face value, as the [~~legislative~~] governing body determines by resolution.

670 Interest on bond anticipation notes may be made payable semiannually, annually, or at
671 maturity. Bond anticipation notes may be made redeemable prior to maturity at the option of
672 the [~~legislative~~] governing body in the manner and upon the terms fixed by the resolution
673 authorizing their issuance. Bond anticipation notes shall be executed and shall be in a form
674 and have details and terms as provided in the authorizing resolution.

675 (3) Contemporaneously with the issuance of the bonds in anticipation of which bond
676 anticipation notes are issued, provision shall be made for the retirement of any outstanding
677 bond anticipation notes.

678 (4) Whenever the bonds in anticipation of which notes are issued are to be payable

679 from ad valorem taxes and constitute full general obligations of the local political subdivision,
680 the bond anticipation notes and the interest on them shall be secured by a pledge of the full
681 faith and credit of the local political subdivision in the manner provided in Section 11-14-310
682 and shall also be made payable from funds derived from the sale of the bonds in anticipation of
683 which the notes are issued. Whenever the bonds in anticipation of which the notes are to be
684 issued are to be payable solely from revenues derived from the operation of revenue-producing
685 facilities, these bond anticipation notes and the interest on them shall be secured by a pledge of
686 the income and revenues derived by the local political subdivision from the revenue-producing
687 facilities and shall also be made payable from funds derived from the sale of the bonds in
688 anticipation of which the notes are issued.

689 (5) Bond anticipation notes issued under this section may be refunded by the issuance
690 of other bond anticipation notes issued under this section.

691 (6) Sections 11-14-304, 11-14-305, 11-14-315, 11-14-316, and 11-14-401 apply to all
692 bond anticipation notes issued under this section.

693 (7) Bonds are not considered to have been issued more than ten years after the date of
694 the election authorizing the issuance of them, under Section 11-14-301, if the issuance of these
695 bonds has been anticipated under this section by bond anticipation notes issued prior to the
696 expiration of this ten-year period.

697 Section 18. Section **11-14-312** is amended to read:

698 **11-14-312. Prior bonds validated -- Exceptions.**

699 All bonds issued by any local political subdivision [~~prior to the effective date of this~~
700 ~~chapter~~] before May 1, 2006, and all proceedings had in the authorization and issuance of them
701 are hereby validated, ratified, and confirmed; and all such bonds are declared to constitute
702 legally binding obligations in accordance with their terms. Nothing in this section shall be
703 construed to affect or validate any bonds, the legality of which is being contested [~~at the time~~
704 ~~this chapter takes effect~~] as of May 1, 2006.

705 Section 19. Section **11-14-313** is amended to read:

706 **11-14-313. Issuance of negotiable notes or bonds authorized -- Limitation on**
707 **amount of tax anticipation notes or bonds -- Procedure.**

708 (1) (a) For the purpose of meeting the current expenses of the local political
709 subdivision and for any other purpose for which funds of the local political subdivision may be

710 expended, ~~[the legislative]~~ a local political subdivision may, if authorized by a resolution of its
711 governing body [may], borrow money by issuing its negotiable notes or bonds in an initial
712 principal amount:

713 (i) not in excess of 90% of the taxes and other revenues of the local political
714 subdivision for the current fiscal year, [issuing therefor negotiable notes or bonds of the local
715 political subdivision. In the event that such] if the notes or bonds are issued after the annual
716 tax levy for taxes falling due during the fiscal year in which the notes or bonds are issued;

717 (ii) not in excess of 75% of the taxes and other revenues of the local political
718 subdivision for the preceding fiscal year, if the notes or bonds are issued prior to the annual tax
719 levy for taxes falling due during the fiscal year in which [such indebtedness is contracted, the
720 amount so] the bonds or notes are issued [shall not exceed 75% of the tax revenues and other
721 revenues of the preceding year, and the]; or

722 (iii) not in excess of 75% of the taxes and other revenues that the governing body of
723 the local political subdivision estimates that the local political subdivision will receive for the
724 current fiscal year, if the notes or bonds are issued within 24 months following the creation of
725 the local political subdivision.

726 (b) The proceeds of the notes or bonds shall be applied only in payment of current and
727 necessary expenses and other purposes for which funds of the local political subdivision may
728 be expended[-, and there].

729 (c) There shall be included in the annual levy a tax and there shall be provision made
730 for the imposition and collection of sufficient revenues other than taxes sufficient to pay the
731 [same] notes or bonds at maturity. [In the event that]

732 (d) If the taxes and other revenues in any one year are insufficient through delinquency
733 or uncollectibility of taxes or other cause to pay when due all the lawful debts of the local
734 political subdivision which have been or may hereafter be contracted, the [legislative]
735 governing body of the local political subdivision is authorized and directed to levy and collect
736 in the next succeeding year a sufficient tax and to provide for the imposition and collection of
737 sufficient revenues other than taxes to pay all of such lawfully contracted indebtedness, and
738 may borrow as provided in this section in anticipation of such tax and other revenues to pay
739 any such lawfully contracted indebtedness.

740 (e) Each resolution authorizing the issuance of tax anticipation notes or bonds shall:

741 ~~(a)~~ (i) describe the taxes or revenues in anticipation of which the notes or bonds are
742 to be issued; and

743 ~~(b)~~ (ii) specify the principal amount of the notes or bonds, ~~the~~ any interest rates, ~~if~~
744 ~~any,~~ ~~(including a variable interest rate)~~, the notes or bonds shall bear, and the maturity dates
745 of the notes or bonds, which dates shall not extend beyond the last day of the issuing local
746 political subdivision's fiscal year.

747 (2) Tax anticipation notes or bonds shall be issued and sold in such manner and at such
748 prices, ~~(whether at, below, or above face value)~~, as the ~~legislative~~ governing body shall by
749 resolution determine. Tax anticipation notes or bonds shall be in bearer form, except that the
750 ~~legislative~~ governing body may provide for the registration of the notes or bonds in the name
751 of the owner, either as to principal alone, or as to principal and interest. Tax anticipation notes
752 or bonds may be made redeemable prior to maturity at the option of the ~~legislative~~ governing
753 body in the manner and upon the terms fixed by the resolution authorizing their issuance. Tax
754 anticipation notes or bonds shall be executed and shall be in such form and have such details
755 and terms as shall be provided in the authorizing resolution.

756 (3) The provisions of Sections 11-14-303, 11-14-304, 11-14-305, 11-14-313,
757 11-14-315, 11-14-316, 11-14-401, 11-14-403, and 11-14-404 shall apply to all tax anticipation
758 notes or bonds issued under this section. In applying these sections to tax anticipation notes,
759 "bond" or "bonds" as used in these sections shall be deemed to include tax anticipation notes.

760 Section 20. Section **11-14-314** is amended to read:

761 **11-14-314. Tax anticipation obligations validated.**

762 All obligations issued in anticipation of the collection of taxes and other revenues by
763 any local political subdivision ~~[prior to the effective date of this chapter]~~ before May 1, 2006,
764 and all proceedings had in the authorization and issuance of them are validated, ratified, and
765 confirmed; and all these obligations are declared to constitute legally binding obligations in
766 accordance with their terms. Nothing in this section shall be construed to affect or validate any
767 of these obligations, the legality of which is being contested ~~[at the time this chapter takes~~
768 ~~effect]~~ as of May 1, 2006.

769 Section 21. Section **11-14-315** is amended to read:

770 **11-14-315. Nature and validity of bonds issued -- Applicability of other statutory**
771 **provisions -- Budget provision required -- Applicable procedures for issuance.**

772 Bonds issued under this chapter shall have all the qualities of negotiable paper, shall be
773 incontestable in the hands of bona fide purchasers or holders for value and shall not be invalid
774 for any irregularity or defect in the proceedings for their issuance and sale. This chapter is
775 intended to afford an alternative method for the issuance of bonds by local political
776 subdivisions and shall not be so construed as to deprive any local political subdivision of the
777 right to issue its bonds under authority of any other statute, but nevertheless this chapter shall
778 constitute full authority for the issue and sale of bonds by local political subdivisions. The
779 provisions of Section 11-1-1, Utah Code Annotated 1953, shall not be applicable to bonds
780 issued under this chapter. Any local political subdivision subject to the provisions of any
781 budget law shall in its annual budget make proper provision for the payment of principal and
782 interest currently falling due on bonds issued hereunder, but no provision need be made in any
783 such budget prior to the issuance of the bonds for the issuance thereof or for the expenditure of
784 the proceeds thereof. No ordinance, resolution or proceeding in respect to the issuance of
785 bonds hereunder shall be necessary except as herein specifically required, nor shall the
786 publication of any resolution, proceeding or notice relating to the issuance of the bonds be
787 necessary except as herein required. Any publication made hereunder may be made in any
788 newspaper conforming to the terms hereof in which legal notices may be published under the
789 laws of Utah, without regard to the designation thereof as the official journal or newspaper of
790 the local political subdivision. No resolution adopted or proceeding taken hereunder shall be
791 subject to referendum petition or to an election other than as herein required. All proceedings
792 adopted hereunder may be adopted on a single reading at any legally convened meeting of the
793 [legislative] governing body.

794 Section 22. Section **11-14-316** is amended to read:

795 **11-14-316. Publication of notice, resolution, or other proceeding -- Contest.**

796 (1) The [legislative] governing body of any local political subdivision may provide for
797 the publication of any resolution or other proceeding adopted under this chapter in a newspaper
798 having general circulation in the local political subdivision.

799 (2) When publication involves a resolution or other proceeding providing for the
800 issuance of bonds, the [legislative] governing body may, in lieu of publishing the entire
801 resolution or other proceeding, publish a notice of bonds to be issued, titled as such,
802 containing:

- 803 (a) the name of the issuer;
- 804 (b) the purpose of the issue;
- 805 (c) the type of bonds and the maximum principal amount which may be issued;
- 806 (d) the maximum number of years over which the bonds may mature;
- 807 (e) the maximum interest rate which the bonds may bear, if any;
- 808 (f) the maximum discount from par, expressed as a percentage of principal amount, at
- 809 which the bonds may be sold; and

810 (g) the times and place where a copy of the resolution or other proceeding may be
 811 examined, which shall be:

- 812 (i) at an office of the issuer;
- 813 (ii) identified in the notice;
- 814 (iii) during regular business hours of the issuer as described in the notice; and
- 815 (iv) for a period of at least 30 days after the publication of the notice.

816 (3) For a period of 30 days after the publication, any person in interest may contest:

- 817 (a) the legality of such resolution or proceeding;
- 818 (b) any bonds which may be authorized by such resolution or proceeding; or
- 819 (c) any provisions made for the security and payment of the bonds.

820 (4) A person shall contest the matters set forth in Subsection (3) by filing a verified
 821 written complaint in the district court of the county in which he resides within the 30-day
 822 period.

823 (5) After the 30-day period, no person may contest the regularity, formality, or legality
 824 of the resolution or proceeding for any reason.

825 Section 23. Section **11-14-317** is enacted to read:

826 **11-14-317. Bonds as legal investments -- Use as security for the faithful**
 827 **performance of acts.**

828 (1) All bonds issued under this chapter or other applicable law shall be legal
 829 investments for:

- 830 (a) all trust funds, including those under the jurisdiction of the state;
- 831 (b) the funds of all insurance companies, banks, and both commercial and savings and
 832 trust companies;
- 833 (c) the state school funds; and

834 (d) all sinking funds under the control of the state treasurer.

835 (2) If funds may by law be invested in or loaned upon the security of bonds of a county,
836 city, or school district, funds may be invested in or loaned upon the security of the bonds of any
837 other local political subdivision.

838 (3) If bonds of a county, city, or school district may by law be used as security for the
839 faithful performance on execution of any court or private trust or any other act, the bonds of
840 any other local political subdivision may be used in the same way.

841 Section 24. Section **11-14-405** is amended to read:

842 **11-14-405. Validity of prior bond issues.**

843 All bonds issued by any local political subdivision [~~prior to the effective date of this~~
844 ~~chapter~~] before May 1, 2006, and all proceedings had in the authorization and issuance
845 [~~thereof~~] of those bonds are hereby validated, ratified, and confirmed, and all [~~such~~] those
846 bonds are declared to constitute legally binding obligations in accordance with their terms.
847 Nothing in this section [~~shall~~] may be construed to affect or validate any bonds, the legality of
848 which is being contested [~~at the time this chapter takes effect~~] as of May 1, 2006.

849 Section 25. Section **11-14-406** is amended to read:

850 **11-14-406. Application of chapter.**

851 Sections 11-14-201, 11-14-202, 11-14-203, 11-14-204, 11-14-205, and 11-14-207 shall
852 apply to all bond elections held by any [~~city, town, county, school district, public transit~~
853 ~~district, improvement district under Title 17A, Chapter 2, Part 3, special service district~~
854 ~~operating under authority of the Utah Special Service District Act, water conservancy district,~~
855 ~~metropolitan water district~~] local political subdivision and, except as otherwise provided in
856 Section 11-14-402, by any other taxing district or governmental entity whether or not the bonds
857 are issued under authority granted by this chapter.

858 Section 26. Section **17A-2-103** is amended to read:

859 **17A-2-103. Conclusive presumption regarding creation and existence.**

860 Notwithstanding any other provision of law, an independent special district under this
861 chapter [~~created on or after May 4, 1999~~] shall be conclusively presumed to have been lawfully
862 created and existing if:

863 (1) for two years following the district's creation:

864 (a) the district has:

- 865 (i) levied and collected a tax; or
 866 (ii) collected a fee, charge, assessment, or tax increment for a commodity, service,
 867 facility, or improvement provided by the district; and
 868 (b) no challenge has been filed in court to the existence or creation of the district; and
 869 (2) the district has complied with Subsections 17A-1-102(1) and 17A-1-504(1).

870 Section 27. Section **17A-2-223** is amended to read:

871 **17A-2-223. Power of board to incur indebtedness.**

872 ~~[The cemetery maintenance board or other officers of the district have no power to~~
 873 ~~incur any debt or liability either by issuing bonds or otherwise in excess of the express~~
 874 ~~provisions of this part and any debt or liability incurred in excess of these provisions is void;~~
 875 ~~but for the purpose of organization or for]~~

876 (1) For any of the purposes of this part and subject to Subsections (2) and (3), the
 877 [cemetery maintenance] board of trustees of a cemetery maintenance district may~~[, before~~
 878 making the tax levy in the first year after the organization,] incur an indebtedness not
 879 exceeding in the aggregate a sum equal to .0001 per dollar of taxable value of taxable property
 880 within the district.

881 (2) A board of trustees of a cemetery maintenance district may not issue bonds of the
 882 district payable in whole or in part from property taxes unless the proposed bond issuance is
 883 approved by a majority of the district voters voting at an election held for that purpose as
 884 provided in Title 11, Chapter 14, Local Government Bonding Act.

885 (3) The issuance of notes or bonds by the board of trustees of a cemetery maintenance
 886 district is governed by Title 11, Chapter 14, Local Government Bonding Act.

887 Section 28. Section **17A-2-315** is amended to read:

888 **17A-2-315. Publication of resolution or proceeding -- Right to contest legality.**

889 The board of trustees may provide for the publication of any resolution or other
 890 proceeding adopted by the board in a newspaper published in or having general circulation in
 891 the district. For a period of 30 days after the date of ~~[such]~~ the publication, any person in
 892 interest ~~[shall have the right to]~~ may contest the legality of ~~[such]~~ the resolution or
 893 ~~[proceedings or any bonds which may be authorized thereby or by the provisions made for the~~
 894 ~~security and payment of any such bonds]~~ proceeding, and after ~~[such time]~~ that 30-day period
 895 no one ~~[shall have any cause of action to]~~ may contest the regularity, formality, or legality

896 [thereof] of the resolution or proceeding for any cause whatsoever.

897 Section 29. Section **17A-2-317** is amended to read:

898 **17A-2-317. Ratification of districts created under prior laws -- Issuance of**
899 **authorized bonds -- Amendatory proceedings.**

900 ~~[Whenever any]~~ (1) If a district has been ~~[heretofore]~~ created or purported to be created
901 under ~~[authority of]~~ Chapter 25, Laws of Utah 1947, Chapter 24, Laws of Utah 1949, or ~~[the~~
902 ~~act hereby amended and where proceedings have been adopted by the governing body of such~~
903 ~~district for the purpose of authorizing the bonds of such district, whether or not such bonds are~~
904 ~~payable from operating revenues or from taxes or both, and whether or not such bonds have~~
905 ~~been heretofore delivered]~~ this part, all proceedings had in connection with the creation of
906 ~~[such]~~ the district~~;~~ and the organization of the district's governing body ~~[thereof, and all~~
907 ~~proceedings had in connection with the authorization of such bonds, and, when duly delivered~~
908 ~~and paid for as required by such proceedings, the bonds themselves]~~ are hereby validated,
909 ratified, and declared to be binding and effective in accordance with their terms
910 notwithstanding any failure to comply with any one or more pertinent statutory provisions and
911 notwithstanding whether such proceedings have been continuously in effect from the date of
912 their adoption to the date of the passage of this part.

913 ~~[As to each district coming within the purview of this section which has heretofore~~
914 ~~authorized bonds which have not yet been issued, the governing body of such district is hereby~~
915 ~~authorized and empowered to do all things necessary to the issuance of such bonds and to the~~
916 ~~performance and carrying out of the contracts of such district, and such things may be done and~~
917 ~~such bonds when issued shall benefit from the curative provisions of this section whether or~~
918 ~~not changes in the details of the bonds and in the proceedings authorizing the issuance thereof~~
919 ~~have been made since the original adoption thereof or may hereafter be made and without~~
920 ~~regard to the nature of such changes.]~~

921 ~~[Where any]~~ (2) (a) If a district has been ~~[originally initiated or]~~ created under
922 ~~[authority of either]~~ this part or Chapter 3, Part 2, County Improvement District Act, the
923 governing authority of ~~[such]~~ the district may ~~[proceed to]~~ issue bonds and operate facilities
924 under the authority of the law under which it was created or may, if in so doing provision is
925 made for the payment in full of all expenses and obligations ~~[heretofore]~~ incurred by ~~[such]~~ the
926 district for legal, engineering, fiscal agent's and other proper services, make such changes and

927 amendments in the proceedings for the authorization of [~~such~~] the bonds as may be necessary
 928 to effect the authorization and issuance of [~~such~~] the bonds under [~~the provisions of~~] this part
 929 [~~as amended~~], and to that end, may increase or decrease the amount of bonds so authorized,
 930 may make such bonds payable in whole or in part from the operating revenues of the district or
 931 from taxes or both as [~~herein~~] provided in this part, and may make any other changes in [~~such~~]
 932 the proceedings it may [~~deem~~] consider to be in the best interests of the district.

933 (b) If any such change has the effect of pledging or allocating to the payment of any
 934 such bond taxes to be levied by such district, such amendatory proceedings shall become
 935 effective only when there shall have been given notice of a public hearing by publishing notice
 936 once a week for three successive weeks in a newspaper of general circulation in each county
 937 that contains some or all of the district, and when the hearing has been held and appeals taken
 938 therefrom, if any, terminated. For the purpose of this section, the county legislative body under
 939 districts initiated or created under said Chapter 3, Part 2, County Improvement District Act,
 940 shall at its option, if it elects hereafter to proceed hereunder, exercise all duties and functions
 941 provided by this part to be exercised by the board of trustees of any district created hereunder
 942 or may cause an election to be held for the election of trustees in accordance with the
 943 provisions of this part.

944 Section 30. Section **17A-2-431** is amended to read:

945 **17A-2-431. Publication of resolutions or other proceedings adopted by board --**
 946 **Time limit for contesting legality.**

947 (1) The board of trustees may provide for the publication once of any resolution or
 948 other proceeding adopted by the board in a newspaper of general circulation in the service area.

949 (2) (a) For a period of 30 days after the date of publication, any person in interest [~~shall~~
 950 ~~have the right to~~] may contest the legality of the resolution or proceeding [~~or any bonds which~~
 951 ~~may be authorized thereby~~] by a proper proceeding in the district court of the county in which
 952 the service area is located [~~and after such time no one shall have any cause of action to~~].

953 (b) After that 30-day period, no one may contest the regularity, formality, or legality of
 954 any resolution or proceeding for any cause whatsoever.

955 Section 31. Section **17A-2-543** is amended to read:

956 **17A-2-543. Contractual powers -- Bond issues -- Elections -- Limitations -- Uses.**

957 [~~Whenever the~~] (1) The board of trustees [~~considers it expedient it shall have power~~]

958 may, for the purpose of constructing drains, drainage canals, and other required improvements
959 necessary to drain lands in the district or conserve the public health or welfare, ~~[to]~~ make a
960 contract or contracts with the United States providing for the repayment of the principal and
961 such other sums due ~~[thereunder]~~ under the contract at such times as may be agreed upon, or to
962 issue bonds of the district ~~[to run not less than five years nor more than 40 years, and to bear~~
963 ~~interest, payable semiannually, at a rate not exceeding 8% per annum to be called "drainage~~
964 ~~district bonds," which bonds shall not be sold for less than 90% of their par value, and the~~
965 ~~proceeds of which]~~ as provided in Title 11, Chapter 14, Local Government Bonding Act.

966 (2) The proceeds of any bonds issued as provided in Subsection (1) shall be used for no
967 other purpose than paying the cost of constructing [such] drains, drainage canals, or other like
968 work considered necessary to drain lands within the district, or conserve the public health or
969 welfare.

970 (3) Before [such] a contract [or contracts shall] may be made or bonds [shall] may be
971 issued, [the board of trustees shall request the county legislative body to order, and the county
972 legislative body shall at once order a special election on the question of the issuance of bonds.
973 The persons authorized to vote in, the giving of notice, the forms of ballots, and the manner of
974 holding the election, and canvassing the results of the] as provided in Subsection (1), an
975 election[;] on the proposed contract or bond issuance shall be held as provided in Title 11,
976 Chapter 14, Local Government Bonding Act. [The expenses of such election shall be paid out
977 of the funds belonging to the drainage district. The terms and times of payment of the bonds so
978 issued shall be fixed by the board of trustees. The bonds shall be issued for the benefit of the
979 district authorizing the issue and shall bear the name and number of the district. The board of
980 trustees shall keep a record of the bonds issued and sold or otherwise disposed of, and such
981 record will also show the lands embraced in the district.] In no case shall the amount of bonds
982 exceed the benefits assessed. [Each bond issued shall show expressly upon its face that it is to
983 be paid by a tax assessed, levied, and collected on the lands within the drainage district. The
984 board of trustees shall, by resolution, provide for the issuance and disposal of such bonds and
985 for the payment of the interest thereon, the creation of a sinking fund for the ultimate
986 redemption thereof, and for the date and manner of the redemption of the bonds. The board of
987 trustees may sell or dispose of the bonds either at public or private sale. Before making any
988 such sale, either private or public, the board of trustees shall give due notice of their intention

989 to sell or dispose of the bonds, by publishing notice of sale at least once a week for four
990 consecutive weeks in some newspaper having general circulation in the state and in the county
991 where the district is situated, and by publishing in any other publication they consider
992 advisable. The notice shall state that sealed proposals will be received by the board of trustees
993 at their office, for the purchase of the bonds, until the day and hour fixed by the board of
994 trustees. At the time appointed the board of trustees shall open the proposals, and award the
995 purchase of the bonds to the highest responsible bidder, or may reject all bids. In case no bid is
996 made and accepted as above provided, the board of trustees is hereby authorized to use the
997 bonds for the construction of any ditches, drain or drains, drainage canal or drainage canals, or
998 any other required improvement considered necessary to drain lands or for the public health or
999 welfare.]

1000 Section 32. Section **17A-2-908** is amended to read:

1001 **17A-2-908. Powers of board of trustees.**

1002 (1) The board of trustees may:

1003 [(+) (a) take all necessary and proper steps for the extermination of mosquitoes, flies,
1004 crickets, grasshoppers, and other insects within the district and to abate as nuisances all
1005 stagnant pools of water and other breeding places for mosquitoes, flies, crickets, grasshoppers,
1006 or other insects anywhere in the state situated so that mosquitoes therefrom may migrate into
1007 the district;

1008 [(2) (b) enter upon territory referred to in Subsection (1)(a) to inspect and examine the
1009 same, and remove therefrom without notice, stagnant water or other breeding places for
1010 mosquitoes, flies, crickets, grasshoppers, or other insects;

1011 [(3) (c) purchase such supplies and materials and employ labor necessary or proper in
1012 furtherance of the purposes of this part, and if necessary or proper, build, construct, repair, and
1013 maintain necessary levees, cuts, canals, or channels upon any land within the district, and
1014 acquire by purchase, condemnation, or other lawful means in the name of the district any
1015 necessary lands, rights-of-way, easements, property, or materials requisite or necessary for any
1016 of such purposes; and

1017 [(4) (d) make contracts to indemnify or compensate any owner of land or other
1018 property for any injury or damage necessarily caused by the exercise of its powers or arising
1019 out of the use, taking, or damage of property for any such purposes and generally to do any and

1020 all things necessary or incident to its powers and to carry out the purposes of this part.

1021 (2) (a) For any of the purposes of this part and subject to Subsections (2)(b) and (c), the
1022 board of trustees may incur indebtedness not exceeding in the aggregate a sum equal to .0001
1023 per dollar of taxable value of taxable property in the district.

1024 (b) A board of trustees may not issue bonds of the district payable in whole or in part
1025 from property taxes unless the proposed bond issuance is approved by a majority of the district
1026 voters voting at an election held for that purpose as provided in Title 11, Chapter 14, Local
1027 Government Bonding Act.

1028 (c) The issuance of notes or bonds by the board of trustees is governed by Title 11,
1029 Chapter 14, Local Government Bonding Act.

1030 Section 33. Section **17A-2-1326** is amended to read:

1031 **17A-2-1326. Administrative control board -- Powers -- Compensation.**

1032 (1) (a) The legislative body of a municipality or county that has established a special
1033 service district may, by resolution adopted at the time of the establishment or at any time
1034 afterwards, create an administrative control board for the special service district.

1035 (b) (i) Except as provided in Subsection (1)(f), each administrative control board shall
1036 consist of at least three and no more than seven persons.

1037 (ii) (A) If a county establishes a service district that includes all or part of one or more
1038 municipalities or one or more improvement districts organized under Title 17A, Chapter 2, Part
1039 3, County Improvement Districts for Water, Sewerage, Flood Control, Electric and Gas, to
1040 provide the same service as the service district, the municipality or improvement district may
1041 appoint one member to represent it on any administrative control board created.

1042 (B) A member appointed under Subsection (1)(b)(ii)(A) may, but need not, be a
1043 qualified elector of the service district.

1044 (c) (i) If a service district is providing commodities, services, or facilities to an
1045 institution of higher education, that institution may appoint the number of members necessary
1046 to assure that it has at least 1/3 of the total of the board members to represent it on the board.

1047 (ii) Members appointed under Subsection (1)(c)(i) may, but need not, be qualified
1048 electors of the service district.

1049 (d) The number of members of the administrative control board shall be increased by
1050 the number of improvement district, municipal, or institution of higher education members

1051 appointed.

1052 (e) (i) Except as provided in Subsections (1)(b)(ii)(B), (c)(ii), and (e)(ii), each member
1053 of an administrative control board shall be a qualified elector of the service district.

1054 (ii) A member of an administrative control board may be other than a qualified elector
1055 of the service district if at least 90% of the owners of property located within the service
1056 district are not qualified electors of the service district.

1057 (f) Notwithstanding Subsection (1)(b), each administrative control board of a special
1058 service district that provides jail services as provided in Subsection 17A-2-1304(1)(a)(x) shall
1059 consist of nine members, three of whom shall be selected from a list of at least six
1060 recommendations from the county sheriff, three of whom shall be selected from a list of at least
1061 six recommendations from the municipalities within the county, and three of whom shall be
1062 selected from a list of at least six recommendations from the county executive.

1063 (2) Members of the administrative control board other than improvement district,
1064 municipal, or institution of higher education members shall be either appointed or elected as
1065 provided in Title 17A, Chapter 1, Part 3, Special District Board Selection Procedures.

1066 (3) (a) If a service district was established to provide either water or sewerage service
1067 or both, the governing authority may by resolution adopted at or after the time of establishment,
1068 or if the service district was established before March 29, 1983, or within 90 days after that
1069 date, create an administrative control board according to Subsection (1).

1070 (b) A resolution creating a service district for water or sewerage purposes adopted
1071 under Section 17A-2-1305 after March 29, 1983, shall identify all existing water and sewerage
1072 districts within the area of the proposed service district.

1073 (4) (a) One-half of the members initially elected or appointed shall serve two-year
1074 terms and 1/2 shall serve four year terms.

1075 (b) The initial terms shall be determined by lot.

1076 (5) (a) The legislative body of the municipality or county that established the service
1077 district may, by resolution, delegate any of its powers to the administrative control board,
1078 including the power to act as the governing authority of the service district and to exercise all
1079 or any of the powers provided for in Sections 17A-2-1314, 17A-2-1316, 17A-2-1320, and
1080 17A-2-1321.

1081 (b) Notwithstanding anything to the contrary in this part, the legislative body of the

1082 municipality or county may not delegate the power to:

1083 (i) levy a tax on the taxable property of the service district;

1084 (ii) issue bonds [~~payable from taxes~~];

1085 (iii) call or hold an election for the authorization of the tax or bonds;

1086 (iv) levy assessments [~~for improvements in an improvement district created under~~

1087 ~~Chapter 3, Part 3, Utah Municipal Improvement District Act, or Chapter 3, Part 2, County~~

1088 ~~Improvement District Act~~];

1089 (v) issue interim warrants or bonds payable from those assessments; or

1090 (vi) appoint a board of equalization under Section 17A-3-217 or Section 17A-3-317.

1091 [~~(c) The administrative control board may not hold an election, levy a tax or~~

1092 ~~assessment, or issue bonds or interim warrants unless the county or municipal legislative body~~

1093 ~~that created the district has approved.~~]

1094 (6) The county or municipal legislative body that created the district may revoke in

1095 whole or in part any power or authority delegated to an administrative control board or other

1096 officers or employees.

1097 (7) Administrative control board members may receive compensation and

1098 reimbursement of expenses as provided in Section 17B-2-404 to the same extent as if they were

1099 members of a board of trustees of a local district.

1100 (8) If a county legislative body establishes an administrative control board under this

1101 section for a special service district that provides jail service as provided in Subsection

1102 17A-2-1304(1)(a)(x), the administrative control board may review and approve any amount

1103 charged to the special service district as reimbursement to the county for services provided

1104 under Subsection 17A-2-1314(1)(g) before the amount is included in the special service district

1105 budget.

1106 Section 34. Section **17A-2-1828** is amended to read:

1107 **17A-2-1828. Taxation of property and bonds.**

1108 [~~(1) A regional service area organized under this part is for the benefit of the people~~

1109 ~~residing within the regional service area, for the increase of their commerce and prosperity, and~~

1110 ~~for the improvement of their health and living conditions. The Legislature finds that a regional~~

1111 ~~service area performs essential government functions.]~~

1112 [(2)] A general ad valorem or fee in lieu of taxes may not be levied upon any property

1113 acquired or used by a regional service area.

1114 ~~[(3) The bonds issued in conjunction with any regional service area, their transfer, and~~
1115 ~~the income from them, shall at all times be free from taxation by the state, or any of its~~
1116 ~~subdivisions, except for the corporate franchise tax and inheritance taxes.]~~

1117 Section 35. **Repealer.**

1118 This bill repeals:

1119 Section 17A-2-311, **Recital in bonds -- Incontestability.**

1120 Section 17A-2-314, **Refunding bonds -- Escrow of proceeds of sale.**

1121 Section 17A-2-316, **Bonds to be legal investments -- Use as security for faithful**
1122 **performance of acts.**

1123 Section 17A-2-321, **Validation of creation, organization, bond proceedings and**
1124 **bonds.**

1125 Section 17A-2-324, **Validation of bonds.**

1126 Section 17A-2-330, **Validating provisions.**

1127 Section 17A-2-547, **Refunding bonds -- Time limit.**

1128 Section 17A-2-558, **Bonds to be canceled.**

1129 Section 17A-2-825, **Validity of signatures and facsimile signatures.**

1130 Section 17A-2-832, **Bonds as legal investment for trust and institutional funds.**

1131 Section 17A-2-1825, **Recital in bonds -- Effect.**

1132 Section 17A-2-1827, **Bonds -- Legal investments -- Use as security.**

Legislative Review Note
as of 11-9-05 12:17 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-16-05 10:19 AM

The Political Subdivisions Interim Committee recommended this bill.

Fiscal Note
Bill Number HB0044

Local Government Amendments

20-Jan-06

3:23 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst